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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,196	08/23/2001	Yutaka Takahashi	100725-00051	8768

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EXAMINER

THAI, CANG G

ART UNIT PAPER NUMBER

3629

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/935,196

Applicant(s)

TAKAHASHI ET AL.

Examiner

Cang G. Thai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. JAPAN 2000-273730, filed on 09/08/2000.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.
3. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, it is not clear in the preamble on who is marketing the mechanical component. Is it the supplier, manufacturing or sales agency selling the mechanical component?

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,898,580 (CURRAN ET AL).

As for claim 1, CURRAN discloses a marketing support system for allowing a supplier, manufacturing and selling a mechanical component such as one having a rolling element and a sliding bearing, support a sales activity of a sales agency selling said mechanical component, wherein

a supplier's communication device connected to an open network is provided with technical information service means for providing technical information required to select said mechanical component and sales agency introduction means for introducing a sales agency selling said mechanical component {Column 2, Lines 36-42, wherein this reads over "a system for the remote pricing and entry of orders for custom manufactured items includes a central data processing communication link to an electronic mail service host, a remote station for a sale representative including a personal computer and a remote communication link"},

a sales agency's communication device connected to the open network is provided with order processing means for taking an order for the mechanical component from a purchaser and for electronically performing processing such order acceptance, payment reclaim, and delivery {Column 2, Lines 43-47, wherein this reads over "electronic mail service host having telecommunication links to both the sales representative personal computer and to the manufacturing host and organized to have electronic "mailboxes" for the message addressed to either of the sales representative or the host"}, and

the purchaser gains access to the communication device of the supplier over the open network so that the purchaser can select and purchase the mechanical

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component {Column 2, Lines 53-56, wherein this reads over "obtaining of pricing information and the entering of orders from custom manufactured equipment which is simple, quick and efficient in its operation, and is automated"}.

As for claim 2, CURRAN discloses the marketing support system for a mechanical component according to claim 1, wherein the purchaser selects a responsible sales agency {Column 3, Lines 55-57, wherein this reads over "a digital interconnect carrier, such as TYMNET or TELENET, to communicate with the various nodes around the service area"}. TYLENET can also be referring the responsible sales agency.

As for claim 3, CURRAN discloses the marketing support system for a mechanical component according to claim 1, wherein the supplier selects a responsible sales agency {Column 3, Lines 53-54, wherein this reads over "one such service is the EASYLINK TM service offered by Western Union"}.

As for claim 4, CURRAN discloses the marketing support component according to claim 3, system for a mechanical wherein

the communication device of the supplier is provided with means for receiving an inquiry for a mechanical component from the purchaser {Column 4, Lines 28-31, wherein this reads over "the data file, i.e. quotation or order, consisting of the items and product IDs are stored by the electronic mail service host 18 in a mailbox associated with the manufacturer host computer"},

contents of the inquiry is distributed over the open network and thereby consigned to an appropriate sales agency determined in accordance with a region and

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a product number {Column 4, Lines 40-41, wherein this reads over “the host computer 24 can then calculate out pricing information based on the items and product ids”}, and the sales agency performs processing such as payment reclaim and delivery of the mechanical component {Column 4, Lines 59-61, wherein this reads over “the sales representative can prepare and implement pricing quotations and proposals in a much more accurate and efficient manner”}.

As for claim 5, CURRAN discloses the marketing support system for a mechanical component according to claim 1, wherein said technical information service means is provided with question reply means for receiving a technical question from the purchaser and allowing a responsible engineer of the supplier to send a reply to the question back to the purchaser {Column 4, Lines 61-63, wherein this reads over “a much closer linkage to the actual pricing and parts information supplied directly from the manufacturer”}.

As for claim 6, CURRAN discloses the marketing support system for a mechanical component according to claim 1, wherein

said sales agency introduction means is to display a sales agency information list having display items of at least a sales agency name, a mechanical component to be handled, an address, and a place for contact {Column 5, Lines 49-51, wherein this reads over “the header information may also include a note pad area for the user to write down notes about the job and to enter the effective pricing date request”}.

As for claim 7, CURRAN discloses the marketing support system for a mechanical component according to claim 1, wherein

the mechanical component is delivered after payment has been made {Column 10, Lines 33-34, wherein this reads over "the goods are then manufactured and shipped in accordance with the order instructions"}.

As for claim 8, CURRAN discloses the marketing support system for a mechanical component according to claim 1, wherein

an ID issued for the inquiry from the purchaser when credit can be provided for the purchaser in accordance with background checks on the purchaser and the order from the purchaser is accepted in accordance with the ID {Column 10, Lines 25-29, wherein this reads over "the manufacturer host proceeds to verify the accuracy of the order at program step 114 and, assuming that it is accurate, prints the order for scheduling and credit approval at 116 resulting in an order number 118 in hard copy"}.

As for claim 9, CURRAN discloses the marketing support system for a mechanical component according to claim 1, wherein

the inquiry from the purchaser is registered to customer database and an order potential database {Column 8, Lines 55-56, wherein this reads over "the manufacturer host computer, 24 in FIG. 1, is available for other processing on an on-going basis"}.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

I. U.S. Patent:

- 1) U.S. Patent No. 6,408,281 (SHELL ET AL) is cited to teach a multi-level marketing computer network server,

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- 2) U.S. Patent No. 6,343,285 (TANAKA ET AL) is cited to teach an estimation and designing supporting apparatus, and
- 3) U.S. Patent No. 6,898,580 (CURRAN ET AL) is cited to teach a single board computer quotation and design system and method.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cang (James) G. Thai whose telephone number is (571) 272-6499. The examiner can normally be reached on 6:30 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CGT
08/29/2005

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